

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR19-159-RSL
)	
Plaintiff,)	REQUEST FOR COURT PERMISSION
)	TO FILE PROPOSED JURY
v.)	INSTRUCTIONS ON MAY 31, 2022
)	
PAIGE A. THOMPSON,)	Noted for June 3, 2022
)	
Defendant.)	
)	
)	
)	

Paige Thompson, through her attorneys, respectfully requests permission to file proposed jury instructions on May 31, 2022.

Under the local rules, after the government files its preliminary jury instructions, the defense may file any proposed alternative or supplemental instructions no later than ten days in advance of trial, while reserving the right to propose additional or modified instructions during the course of the trial. *See* Local CrR. 30(a). The government filed its proposed jury instructions on May 24, 2012. (Dkt. 256.) Thus Ms. Thompson's proposed instructions are due on May 28, 2022, a Saturday. Under the Local Rules for calculating deadlines when a filing is due on weekends or holidays, the defense proposed jury instructions technically are due today, May 27, 2022.

The defense requests a short continuance to the following business day. Given that Monday, May 30th is a federal holiday, May 31, 2022, is the next business day.

The government will not be prejudiced by this short delay. Given the unprecedented nature of the government's case and recent developments in the law based on *hiQ Labs, Inc. v. LinkedIn Corp.*, ___ F.4th ___, No. 17-16783, 2022 WL 1132814 (9th Cir. Apr. 18, 2022); *Van Buren v. United States*, 141 S. Ct. 1648 (2021), this case may require drafting unique instructions or modifications. Because the legal issues have been fully briefed in pretrial litigation, however, the government is fully aware of the defense view as to how the law applies in this case. Moreover, there may be a need to modify instructions during the course of trial, specifically substantive instructions related to the wire fraud and CFAA counts because the instructions are highly dependent on the facts admitted at trial.

The short continuance is requested so that the defense can effectively discharge their obligations to Ms. Thompson.

Dated this 27th day of May, 2022.

Respectfully submitted,

/s/ Mohammad Ali Hamoudi
MOHAMMAD ALI HAMOUDI

/s/ Christopher Sanders
CHRISTOPHER SANDERS

/s/ Nancy Tenney
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